



Entered on Docket
June 22, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
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Las Vegas, NV 89101
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

MARK S GROCK
HEIDI GROCK

Debtors

Chapter 13
BKS-10-31884-LBR

ORDER DENIAL OF CONFIRMATION AND
DISMISSING CASE

Hearing Date: 06/16/2011
Hearing Time: 1:30 pm

The Trustee's Opposition to Confirmation of Plan Combined with Trustee's Recommendation of Dismissal filed in the above-captioned matter having on for hearing, the following parties have appeared: [X] Trustee [] Debtors [] Attorney for Debtors [] Other , and said Motion having been considered by this Court, and good cause appearing therefore;

IT IS HEREBY ORDERED that confirmation of the Plan is denied and that the above-captioned proceedings under Chapter 13 be DISMISSED for the following reason(s):

- Plan is not viable due to: Ally Financial [11 USC 1322]
- The proposed Plan is not feasible as the Debtors lack sufficient regular income [11 USC 109(e)]
- Delinquent Plan payments.
- Amendments to Petition, Statement of Financial Affairs, Plan, Schedules B, C, D, F and J not filed
- Debtors failed to comply with notice/re-notice requirements [B.R. 2002(a)(1) B.R. 2002(b)]
- The proposed Plan fails to provide for all the Debtors' disposable income [11 USC 1325(b)(1)(B)] based on B22C (i.e. luxury item, unreasonable expenses, etc.) and, as a result, the Debtors have failed to file a Plan in good faith [11 USC 1325(a)]
- The Debtors have failed to cooperate with the Trustee [11 USC 521(3)] as the following document(s) were not provided: [] tax returns [] pay stubs [] profit & loss statements [X] other: Bank Statements; appraisal on Mercedes; comps on Uxbridge Drive property

IT IS FURTHER ORDERED that the Trustee is allowed \$450.00 as and for expenses in the administration of this case.

DATED: 06/21/2011

Submitted by:

/s/ KATHLEEN A. LEAVITT
Kathleen A. Leavitt
Chapter 13 Trustee
(MJB)

LR 9021 certification language:

In accordance with LR 9021, counsel submitting this document certifies as follows ;

X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

None -no parties appeared

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